(3)

CH 100

BEFORE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3432 /2003

PETITIONER : SMT. VIDYA TIWARI
W/o Shri Vijay Tiwari
aged about 36 years
Assistant K Teacher
Govt.Girls Primary School
Charama, Dist. Kanker (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh
Through : Secretary
Scheduled Tribe, Scheduled Caste
and O.B.C. Welfare Department
Govt. of Chhattisgarh
Mantralaya, D.K.S. Bhawan
Raipur (C.G.)

2. Commissioner
Scheduled Tribe and Scheduled
Caste Welfare/Development Deptt.
Raipur (C.G.)

3. Director
Scheduled Tribe & Scheduled Caste
Welfere/Development Department
Raipur (C.G.)

P. R. No. 3252/03
Presented by Shri U.D. Tamaskar
dated 15.12.03

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(25)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.3432/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	24.11.2003 Shri V.G.Tamaskar, Counsel for the petitioner. Shri Ranbir Singh, G.A. takes notice on behalf of respondents. Heard. By this petition under Articles 226/227 of the Constitution of India the petitioner has challenged the order dated 30.6.2003 by which the petitioner has been transferred from Charama District Kanker to District Jagdalpur. The petitioner is working as Assistant Teacher and the main grievance of the petitioner is that the seniority of Assistant Teachers is being maintained at the District Level, therefore, the Assistant Teachers are not required to be transferred out of district because that effects the seniority and this has not been considered by respondent No.3. Learned counsel for the petitioner submits that against the transfer order, the petitioner moved the representation to	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर संहित – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the Minister Education. Considering the representation of the petitioner the Hon'ble Educational Minister passed the order cancelling the transfer order but the same is not being implemented by the Director (respondent No.3).

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and in the light of the above facts the petitioner is allowed to make a detailed representation to respondent No.3 within a period of 10 days and the respondent No.3 in turn will decide the representation within a period of another 30 days considering all the points raised by the petitioner in an objective manner by passing a reasoned order. Till then, the impugned transfer order (Annexure P/1) is stayed.

With the aforesaid observation, the petition stands disposed of. Consequently, M.W.P.No.3124/2003 and I.A.No.9919/03 for urgent hearing also stand disposed of.

Certified copy as per rules.

Sd/-
L.C.BHADOO
Judge

Anjani / Sarma /